

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

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| JAMES G. ABOUREZK, Plaintiff, vs. PROBUSH.COM., INC., a Pennsylvania Corporation, Defendant. | Civ. 03-4146 MOTION TO AMEND VERIFIED COMPLAINT AND ADD PARTIES |
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COMES NOW Plaintiff James G. Abourezk, by and through one of his attorneys, with his motion to amend his Verified Complaint and add additional parties to this litigation.

Pursuant to the Scheduling Order issued in this case and Fed. R. Civ. Pro. 15 and 20, the Plaintiff moves this Court to add the following parties:

- A. Plaintiff Jane Fonda.
- B. Plaintiff Roxanne Dunbar-Ortiz
- C. Defendant Ben Marino
- D. Defendant Michael Marino

The Plaintiff further requests that he be allowed to file a First Amended Verified Complaint, as the addition of these parties will necessitate adding additional allegations of facts and counts. A copy of the draft First Amended Verified Complaint, *et al* is attached hereto as Exhibit A.

Dated this 16th Day of September, 2004.

Respectfully submitted,

/s/ Todd D. Epp

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One of the Attorneys for Plaintiff James G. Abourezk

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 16th day of September 2004, a true and correct copy of the above noted pleading and exhibit was transmitted to the District of South Dakota CM/ECF system for filing and notification of counsel so registered with the Court's electronic filing system.

In addition, on the same date, this pleading was served via US Mail, prepaid to the following:

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| Charlie Abourezk Abourezk Law Offices, P.C. PO Box 9460 Rapid City, SD 57709 Attorney for Plaintiff | Michael Abourezk Abourezk Law Offices, P.C. PO Box 9460 Rapid City, SD 57709 Attorney for Plaintiff |
| Ronald A. Parsons, Jr. Johnson, Heidepriem, Miner, Marlow & Janklow PO Box 1107 Sioux Falls, SD 57101-1107 Attorney for Defendant | |

/s/ Todd D. Epp